### UNITED STATES DISTRICT COURT **SOUTHERN DISTRICT OF OHIO WESTERN DIVISION**

UNITED STATES OF AMERICA, et al.,

Consolidated Case No. 1:02cv00107

Plaintiffs,

Judge Spiegel

THE SIERRA CLUB; MARILYN WALL,

Plaintiffs,

٧.

HAMILTON COUNTY BOARD OF COUNTY COMMISSIONERS; CITY OF CINCINNATI,

Defendants.

## **NOTICE OF APPEARANCE**

Mark. A. Norman, Phillip J. Smith, Theodore A. Boggs and the law firm of Vorys, Sater, Seymour and Pease LLP hereby give notice of their appearance as trial counsel on behalf of defendant, the Board of County Commissioners of Hamilton County, Ohio.

# Respectfully submitted,

s/Phillip J. Smith

Mark A. Norman (0012033)
Phillip J. Smith (0062942)
Theodore A. Boggs (0032905)
VORYS, SATER, SEYMOUR AND PEASE LLP
Suite 2000, Atrium Two
221 East Fourth Street
Cincinnati, Ohio 45202
(513) 723-4000
(513) 723-4056 (Facsimile)
manorman@vorys.com
pjsmith@vorys.com
taboggs@vorys.com

Trial Attorneys for Defendant, The Board of County Commissioners of Hamilton County, Ohio

#### **OF COUNSEL:**

Nee Fong Chin (0038095)
William P. Heile (0024210)
HAMILTON COUNTY PROSECUTOR'S OFFICE
230 E Ninth Street
Suite 4000
Cincinnati, OH 45202-2151
(513) 946-3000
(513) 946-3017(Facsimile)
neefong.chin@hcpros.org
peter.heile@hcpros.org

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following counsel, this 11th day of December 2007:

D. David Altman Amy J. Leonard D. DAVID ALTMAN CO., LPA 15 East Eighth Street Suite 200 W Cincinnati, OH 45202

Albert J. Slap LAW OFFICE OF ALBERT J. SLAP 816 Glen Eagle Drive Aspen, CO 81611

**Gregory Lockhart** UNITED STATES ATTORNEY'S OFFICE PO Box 280 200 W Second Street Room 602 Dayton, OH 45402

Gary Prichard Associate Regional Counsel US EPA Region 5 (C-14J) 77 West Jackson Blvd Chicago, IL 60604-3590

Caleb Brown, Jr. 527 Linton Street Cincinnati, OH 45219 Rita J. McNeil Terrance A. Nestor CITY OF CINCINNATI 801 Plum Street Room 214 City Hall Cincinnati, OH 45202

Leslie Allen **Environmental Enforcement Section** Environment and Natural Resources Div UNITED STATES DEPARTMENT OF JUSTICE P.O. Box 7611 Washington, DC 20044-7611

Thomas L Sansonetti **Assistant Attorney General** Environment and Natural Resources Div UNITED STATES DEPARTMENT OF JUSTICE 10th & Pennsylvania Avenue N.W. Washington, DC 20530

Donetta D. Wiethe U.S. DEPARTMENT OF JUSTICE Suite 400, Atrium Two 221 East Fourth Street Cincinnati, OH 45202

J. Steven Justice TAFT, STETTINIUS & HOLLISTER 110 North Main St., Suite 900 Dayton, OH 45402

Arthur W. Harmon, Jr. HARMON, DAVIS & ASSOCIATES 1200 Cypress Street Cincinnati, OH 45206

Margaret A. Malone OHIO ATTORNEY GENERAL Environmental Enforcement Section 30 East Broad Street 25th Floor Columbus, OH 43215-3428 Jessica L. Powell LEGAL AID SOCIETY OF CINCINNATI 215 East Ninth Street Suite 200 Cincinnati, OH 45202-2122

s/Phillip J. Smith

Phillip J. Smith (0062942)